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10/074,269	02/12/2002	Pedro Noguerols Vines	U 013874-8	5003

7590

07/01/2003

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EXAMINER

NGUYEN, TRINH T

ART UNIT

PAPER NUMBER

3644

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/074,269

Applicant(s)

NOGUEROLES VINES ET AL.

Examiner

Trinh T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 11 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-15, as best understood, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are replete with indefinite phrases too numerous to mention completely, and it appears that the claims are a direct translation from a foreign application. Applicant is required to carefully review the claims and rewrite them so that all method/process claimed limitations are positively and clearly set forth and it can be determined what is being claimed.

The following are examples only:

In claim 1:

in line 9, "the first" should be rewritten as --the first part--;

in lines 9-10, the phrase "with a suitable cross linking of the resin of the composite material" is confusing and it is not understood what is being claimed;

in lines 15-19, the phrase "the fiber orientation is adapted to the structural requirements...used to form the second part" is unclear because it is unclear as to what the terms "the fiber orientation", "the structural requirements", "the part" (i.e., is this "the part" refers to "the first part" or "the second part"?), and "the resulting laminate" define and/or intend to be encompassed;

in line 21, "the flat laminate" lacks proper antecedent basis;

in lines 21-22, the phrase "with areas of different thickness from which the second parts are obtained" is indefinite and confusing because it is not understood what is being claimed;

in lines 23-24, the phrase "assembling packages from the patterns obtained in the previous cutting" is confusing and incomplete (i.e., there are no definitions as to what "the patterns" and/or "the previous cutting" defines and/or implies, and the step of "assembling" is incomplete (i.e., assembling to what?));

in line 26, "the previously obtained flat configurations" lacks proper antecedent basis;

in line 28, "the performs" and "the curing tools" lack proper antecedent basis;

in line 29, the phrase "which simplify this task" is confusing because it is unclear as to what the term "this task" defines and/or intends to be encompassed;

in line 30, "precise positioning" should be rewritten as --precisely positioning-- and the phrase "of all tooling" is unclear and confusing because there is no definition as to what "all tooling" defines and/or implies;

in line 31, the term "J-shaped parts" is unclear and confusing because there is no definition as to what "J-shaped parts" defines and/or implies;

in lines 32-33, the phrase "mounting a previously made and checked vacuum bag" is confusing and incomplete (i.e., there are no definition as to what "checked vacuum" defines and/or implies, and the step of "mounting" is incomplete (i.e., mounting to what?));

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in lines 34-37, the terms "the tool" and "the fine adjustment" lack proper antecedent basis, the terms "the part" and "the parts" are unclear because it is unclear as to what these terms define and/or intend to be encompassed (i.e., is this "the part" or "the parts" refers to "the first part" or "the second part" or both parts?), and the phrase "performing the fine adjustment of the vacuum bag in this position" is confusing and it is not understood what is being claimed;

in line 38, the term "the autoclave curing cycle" lacks proper antecedent basis.

The above noted defects are merely representative and not intended to be a complete listing thereof. Applicant is required to rewritten the claims into a format which can be more readily understood and to make corrections to all the claims wherever appropriate in order to clarify same if the prosecution is continued.

3. Noted that a prior art rejection is not given at this time due to the indefinite and vague nature of the claims language.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh T Nguyen whose telephone number is (703) 306-9082. The examiner can normally be reached on M-F (9:30 A.M to 6:00 P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Jordan can be reached on (703) 306-4159. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

*Charles T. Jordan*  
CHARLES T. JORDAN  
DIRECTOR OF PATENT EXAMINER

ttn

June 27, 2003